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(Appearing *Pro Hac Vice*)

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA**

NATIONAL ASSOCIATION FOR
GUN RIGHTS, INC.,

Plaintiff,

JEFF MANGAN, in his official Capacity as the Commissioner of Political Practices for the State of Montana; TIMOTHY C. FOX, in his Official capacity as Attorney General For the State of Montana; LEO GALLAGHER, in his official capacity as County Attorney for the County of Lewis & Clark,

Defendants.

Case No. CV 16-0023-H-DLC

DECLARATION OF JON METROPOULOS

1. I am the owner of Metropoulos Law Firm, PLLC, which I started December 1, 2010.

2. I have been in the private practice of law since 1988, most recently before opening this firm as a partner for 14 years at the firm of Gough, Shanahan, Johnson & Waterman, P.C.

3. I am a 1988 graduate, with honors, from the University of Montana School of Law. I am licensed to practice in Montana and I am admitted to all state and federal courts in Montana, the Ninth Circuit Court of Appeals, the Federal Circuit Court of Appeals, the Tenth Circuit Court of Appeals, the United States Court of Federal Claims, and the United States Supreme Court.

4. Between 2000 and 2011, my practice concentrated on complex litigations in state and federal court, primarily in the areas of federal Indian Law, environmental law, and natural resource development. During that time, I was the lead attorney supervising a team of more junior attorneys, both partners and associates, on numerous state and federal litigations in Montana, some of which have resulted in awards of attorney fees under the Equal Access to Justice Act. In these cases, I was responsible for approving hourly rates for these different attorneys and for reviewing and finalizing all bills sent to clients. Between 2011 and 2015, I remained involved in complex

litigations but to a lesser extent as I transitioned into government relations work comprising the majority of my work. I remain lead attorney in two complex litigations in state district court in Montana.

5. I am familiar with hourly rates of attorneys in Montana generally and more specifically Helena, Montana. Moreover, I am familiar with the hourly rates awarded by federal courts in Montana and settled on by parties in natural resource and environmental law cases.

6. I have reviewed the Court's orders in this matter, the pleadings, motions, and briefs submitted by the parties, and the hourly rates submitted by the Plaintiffs' attorneys. I have also reviewed information regarding the expertise of David A. Warrington specifically in regard to the political and election law issues in this matter. I consider this matter and much of the other litigation I am aware Mr. Warrington has handled to be complex litigation. I have reviewed the same type of information regarding Mr. Matthew Monforton, Mr. Warrington's co-counsel on this matter.

7. In my opinion, the following hourly rates, based on years of experience of the attorneys and the complexity of the litigation are within the range of market rates for lawyers of comparable skill and experience for litigation of similar complexity in the Montana legal community:

Lawyers with between one and three years' experience are billed at \$130-\$150;

Lawyers with between four and five years' experience are billed at \$150-\$170;

Lawyers with between six and nine years' experience are billed at \$175-\$190;

Lawyers with between ten and fifteen years' experience are billed at \$195-\$225;

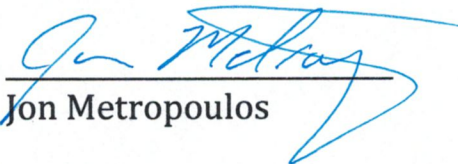
Lawyers with between fifteen and forty years' experience are billed at \$215-\$375.

8. Reasonable rates for an attorney in a particular case could depend a great deal not only on his or her years of experience but also on the specific expertise he or she brought to that litigation. In my opinion, attorneys with the experience and qualifications in the areas of law addressed in this case, which Mr. Warrington and Mr. Monforton brought to bear, would warrant billing their time for at least \$290 per hour. My review of information provided me regarding Mr. Warrington indicates he in fact has nationwide expertise and has litigated such cases for decades and that this rate is reasonable for the work he has performed in Montana. In fact, I believe it is low for the market in which he resides and primarily practices—the east coast, including Virginia.

9. Similarly, Mr. Monforton has a great deal of court-room experience and experience and success with the type of law at issue here, warranting the same hourly fee.

I affirm under penalty of perjury that the foregoing is true and correct.

EXECUTED this 1st day of January, 2018.


Jon Metropoulos